

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: P 12-1-05 / 06-94 / Associated Engineers of South Florida/ 5450 Griffin Road, Davie, FL 33314 / Generally located on the south side of Southwest 20 Street, East of Shotgun Road (SW 154 Avenue).

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "LIVE OAK ESTATES" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner requests approval of the plat known as "Live Oak Estates." The plat consists of approximately 3.11 acres (135,544 sq. ft.) of land and is restricted to three (3) single-family dwelling units. Access to the subject site is provided via a 75' access opening from SW 20 Street to a dedicated 40' public road right-of-way.

The proposed plat is consistent with the Comprehensive Plan and Land Development Codes, as it relates to access, location and size of lots. Development of the proposed single-family dwelling units does not exceed what is permitted by the Town of Davie Future Land Use Plan Map designation. A portion of the subject site, noted as Parcel "B" will be a drainage easement for the development.

PREVIOUS ACTIONS: None

CONCURRENCES:

At the November 8, 2006 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0, Chairman Bender was absent).**

FISCAL IMPACT: N/A

RECOMMENDATION(S):

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions shall be met:

- 1) Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
- 2) Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Attachment(s): Staff Report, Resolution, Plat.

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "LIVE OAK ESTATES" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Live Oak Estates" was considered by the Town of Davie Planning and Zoning Board on November 8, 2006;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "Live Oak Estates" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2006.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2006.

EXHIBIT “A”**Application:** P 12-1-05 / 04-309 / Live Oak Estates Plat**Original Report Date:** 10/31/06**Revision(s):**

TOWN OF DAVIE**Development Services Department****Planning & Zoning Division*****Staff Report and Recommendation***

Applicant Information**Petitioner:**

Name: Associated Engineers of South Florida, Inc.
Address: 5450 Griffin Road
City: Davie, FL 33314
Phone: 954.584.6880

Owner:

Name: Gulf Ranch Investments, LLC
Address: 2700 Glades Circle, Suite C-130
City: Weston, FL 33327
Phone: 954.588.5571

Background Information

Application Request: Approval of plat known as “Live Oak Estates”

Location: South side of SW 20 Street, east of Shotgun Road (SW 154 Ave)

Future Land Use Plan Map: Residential 1 DU/AC

Zoning: A-1, Agricultural District

Existing Use(s): Nursery

Parcel Size: 3.11 acres (135,544 sq. ft.) net, 3.26 (142,019 sq. ft.) gross

Proposed Density: 1 Unit/1 Acre, Minimum lot area 35,000 sq. ft. (3 Dwelling Units)

Proposed Use(s): 3 single-family dwelling units

Surrounding Uses:

North: Power-lines and Single-Family Dwelling
South: Single-Family Dwelling
East: Single-Family Dwelling
West: Nursery

Surrounding Land**Use Plan Map Designations:**

Residential 1 DU/AC
Residential 1 DU/AC
Residential 1 DU/AC
Residential 1 DU/AC

Surrounding Zoning:

North: R-1, Estate Dwelling District
South: A-1, Agricultural District
East: A-1, Agricultural District
West: A-1, Agricultural District

Zoning History**Related Zoning History:**

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 3.11 net ac. (135,544 sq. ft.)/3.26 (142,019 sq. ft.) gross ac.
2. *Restrictive Note:* This plat is restricted to three (3) single-family dwelling units.
3. *Access:* Access to the subject site is provided via a 75' access opening from SW 20 Street to a dedicated 40' public road right-of-way.
4. *Trails:* There is an existing equestrian trail at the north side of S.W. 20th Street within Parcel "F" of Vista Lake (PB 152 PG. 38 B.C.R.).
5. *Easements and Reservation:* A six (6) foot utility easement exists along the eastern boundary (Plat Book 95, Page 9 of Broward County Records).
6. *Dedications:* The following easements are proposed by this plat:
 - a. Ten (10)-foot Landscape Buffer proposed along the western boundary;
 - b. Ten (10)-foot Landscape Buffer proposed along the northern boundary;
 - c. Ten (10)-foot Utility Easement proposed along the northern Landscape Buffer;
 - d. Forty-foot Road Right-Of-Way along the western portion of the proposed lots;
 - e. Five (5)-foot and ten (10)-foot Sidewalk Easement and Utility easement along the western boundary of Lots 1 and 2; and
 - f. Ten (10) foot Utility Easement along the northern boundary of Lot 3.
7. *Drainage:* The subject site lies within the Central Broward Water Control District and approval from this agency has been obtained.
8. *Compatibility:* The proposed plat for residential use can be considered compatible with both existing and allowable uses on the adjacent properties. To the north, south and east are residential single family homes with a similar density and to the west is a landscape nursery.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Section 12-81, Table of Conventional, A-1 zoning districts are required to provide a minimum lot area of 35,000 square feet and a minimum lot frontage of 140-feet. Lot 3, located at the end of the street, presents a situation where the lot frontage, while meeting code, does not represent a typical layout based upon access. In light of this, staff evaluated the setback requirement found when lots front a cul-de-sac to ensure lot 3 meets the Land Development Regulations. The frontage has been measured by creating a circle from the center of the road at the “T” turn around. A 140 feet long tangent line to this circle defines the lot frontage. Any proposed structure shall not encroach into this line.

Article XII, Subdivisions and Site Plans

Section 12-286, Rural Life Styles Development Standards

Section 12-360 (B), Platting Requirements

Section 12-366.1, Submission Requirements for Plats

Comprehensive Plan Considerations

Planning Area: The subject property is located within Planning Area 2. This planning area is predominately single-family residential at a density of one dwelling unit per acre.

Broward County Land Use Plan: The subject property is located within Flexibility Zone 113.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5.2: The (re)zoning, (re)platting and site planning of land shall be in compliance with the density ranges shown of the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17.3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning:

1. Frontage for Lot 3 is measured by creating a circle from the center of the road at the “T” turn around. A 140 feet long tangent line to this circle defines the frontage line.

Engineering Division:

1. Provide roadway, sidewalk, and drainage for S.W. 20th Street within the proposed plat limits in conformance with the Town Land Development Code.

Staff Analysis

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size and use. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Map designation. Broward County requires that the owner pay Roadway Concurrency fees to mitigate the peak hour traffic impact of the plat.

Parcel "B" contains a portion of the drainage required by Central Broward Water Control District.

As proposed, Lot 3 meets lot frontage requirements by drafting a circle from the center of the road at the "T" turn around. A 140 feet long tangent line to this circle defines the frontage line. Any proposed structure shall not encroach into the frontage line.

Findings of Fact

Staff finds that the plat is in conformance with all applicable Codes and Ordinances. The proposed use can be considered compatible with the surrounding properties.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration, subject to the following conditions:

- 1) Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
- 2) Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Planning and Zoning Board Recommendation

At the November 8, 2006 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0, Chairman Bender was absent).**

Town Council Action

Exhibits

1. Future Land Use Plan Map
2. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

File Location:

\\ns_th_01\Town_Hall\Develop_Service\P&Z\Lise Bazinet\Applications\Live Oak States \P 12-1-05

Exhibit 1 (*Land Use Map*)

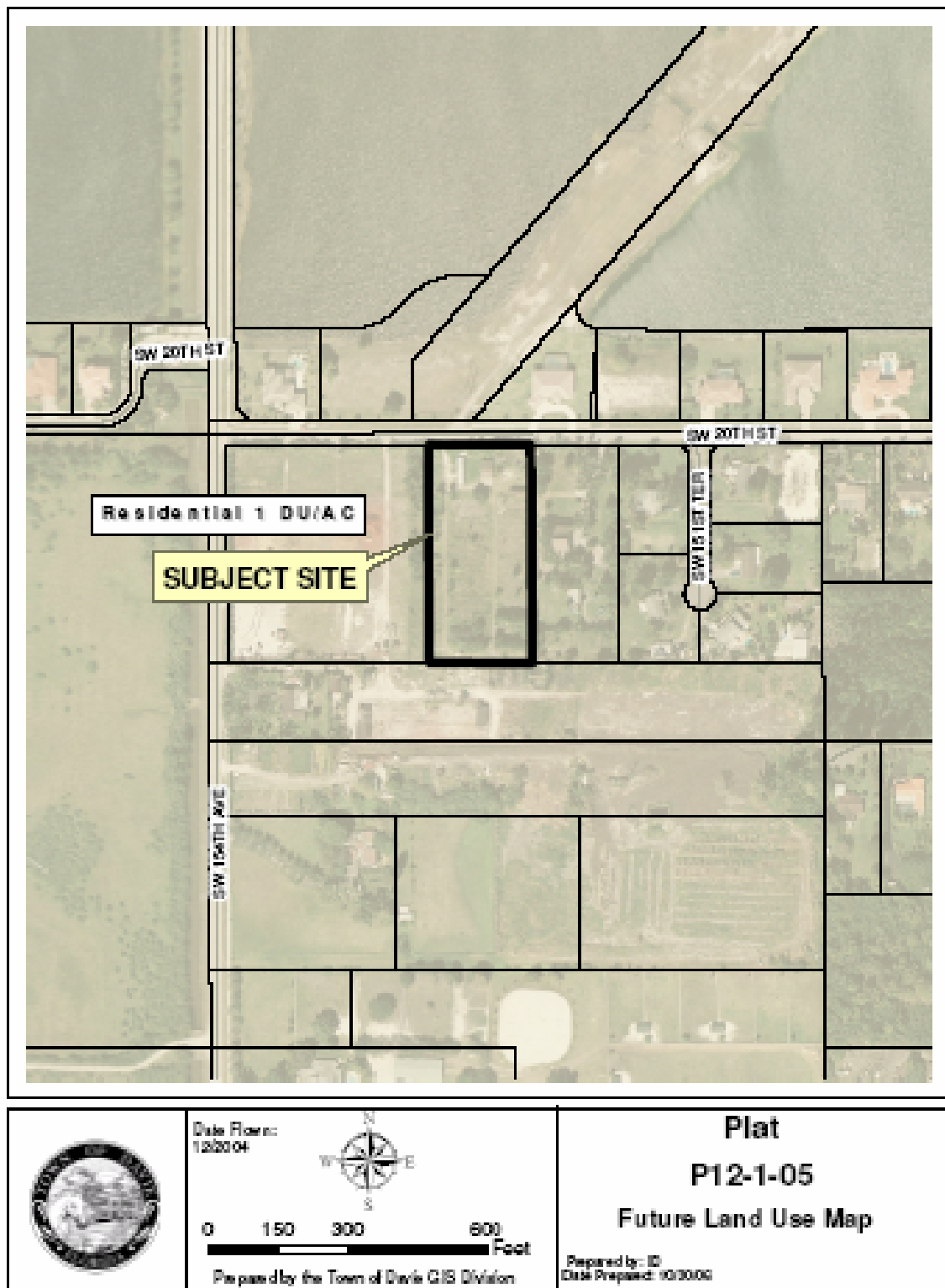


Exhibit 2 (Aerial, Zoning, and Subject Map)

